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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation Against:

Case No. *2013-640*

13 **CAROL ANN VALIQUETTE**
301 Depot Street
14 Promise City, IA 52583

A C C U S A T I O N

15 **Registered Nurse License No. 819402**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about May 7, 2012, the Board of Registered Nursing issued Registered Nurse
24 License Number 819402 to Carol Ann Valiquette (Respondent). The Registered Nurse License
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 May 31, 2014, unless renewed.

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JURISDICTION

2. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

3. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

5. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

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COST RECOVERY

6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 **CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct - Discipline by Another Health Care Agency -**
5 **Iowa Board of Nursing)**

6 7. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4), on
7 the grounds of unprofessional conduct in that Respondent was disciplined by the Iowa Board of
8 Nursing for violating Iowa Code sections 147.55(3), as defined by 655 IAC 4.6(4)“(e)”
9 (committed an act or omission which may adversely affect the physical or psychosocial welfare
10 of the patient or client) and 147.55(3), as defined by 655 IAC 4.6(3)“b” (falsified records related
11 to nursing practice or knowingly permitting the use of falsified information in those records. The
12 circumstances are as follows:

13 8. On or about February 8, 2012 to February 9, 2012, while working an overnight shift,
14 Respondent administered twice the prescribed dose of Hydrocodone to a patient, then falsified the
15 patient’s records to make the error appear legitimate.

16 9. On or about July 18, 2012, Respondent entered into a stipulated settlement agreement
17 with the Iowa Board of Nursing whereby her Iowa Nursing Certificate and License Nos. 122951
18 and P50900, were disciplined and her licenses placed on probation with terms and conditions.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
21 and that following the hearing, the Board of Registered Nursing issue a decision:

22 1. Revoking or suspending Registered Nurse License Number 819402, issued to Carol
23 Ann Valiquette;

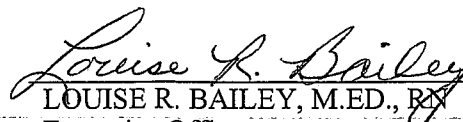
24 2. Ordering Carol Ann Valiquette to pay the Board of Registered Nursing the reasonable
25 costs of the investigation and enforcement of this case, pursuant to Business and Professions
26 Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: FEBRUARY 20, 2013


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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